

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the
Northern District of Texas

Texas Bankers Association et al

Plaintiff

v.

Office of the Comptroller of the Currency

et al

Defendant

Civil Action No. 2:24-cv-00025-Z

Summons in a Civil Action

TO: Federal Deposit Insurance Corporation

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) -- or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12(a)(2) or (3) -- you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or the plaintiff's attorney, whose name and address are:

Slater Elza
PO Box 9158
Amarillo, TX 79105-9158

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT



Signature of Clerk or Deputy Clerk



DATE: 02/07/2024

Civil Action No. 2:24-CV-00025-Z

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* Federal Deposit Insurance Commission
was received by me on *(date)* 2/7/2024 .

☐ I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____,
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

☒ I served the summons on *(name of individual)* Monique Williams, Intake Specialist
CT Corp., 1015 15th Street, NW, Washington, DC 20005 , who is
designated by law to accept service of process on behalf of *(name of organization)*

Federal Deposit Insurance Commission on *(date)* 2/9/2024 12:28 PM ; or

☒ I returned the summons unexecuted because _____ ; or

Other *(specify)*: SERVED TO CT CORP

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ .

I declare under penalty of perjury that this information is true.

Date: 2/9/2024



69408


Server's signature

Mike Lievano, Process Server
Printed name and title

P.O. Box 18647, Washington, DC 20036
Server's address

Additional information regarding attempted service, etc:

Monique Williams Gender: Female Race/Skin: Black Age: 36 yrs. old Weight: 180 lb. Height: 5'8" Hair: Black Glasses: Yes Other:

Documents Served: Summons in a Civil Action, Complaint for Declaratory and Injunctive Relief and Notice and Election Regarding Consent to Proceed Before A United States Magistrate Judge

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS

TEXAS BANKERS ASSOCIATION, et al
Plaintiff

vs

Case Number: 2:24-CV-00025-Z

OFFICE OF THE COMPTROLLER OF THE CURRENCY, et
al
Defendant

AFFIDAVIT OF ATTEMPTED SERVICE


I, Mike Lievano, depose and state that I am not a party to this action, am over the age of eighteen and a private process server for the firm Torri's Legal Services, P.O. Box 18647, Washington, DC 20036.

At the request of Williams & Connolly I was asked to serve a Summons in a Civil Action, Complaint for Declaratory and Injunctive Relief and Notice and Election Regarding Consent to Proceed Before A United States Magistrate Judge to **Federal Deposit Insurance Corporation** at the given address **550 17th Street, NW, Washington, DC 20429**.

I received the papers on February 7, 2024.

That on February 9, 2024 at approximately 12:00 p.m. I attempted to serve Federal Deposit Insurance Corporation at the given address. FDIC is currently not accepting at this location. A Special Police Officer advised that the papers were to be served at CT Corporation at 1015 15th Street, NW, Washington, DC 20005.


The undersigned declares and affirms that he has personal knowledge of the foregoing facts, that the facts are true and correct and that this affidavit was executed by Mike Lievano, process server.



Date



69580



Mike Lievano
P.O. Box 18647
Washington, DC 20036
202-296-0222

TEXAS BANKERS ASSOCIATION, et al
Plaintiff

vs

OFFICE OF THE COMPTROLLER OF THE CURRENCY, et al
Defendant

)
)
) REGISTERED/PRIORITY/CERTIFIED
) MAILING AFFIDAVIT
)
)
)

Case Number: 2:24-CV-00025-Z

**AFFIDAVIT OF CERTIFIED/PRIORITY MAIL TO FEDERAL DEPOSIT INSURANCE
COMMISSION C/O U.S. ATTORNEY GENERAL**

The undersigned, Laura Creekmore, having been duly authorized to make service of the ***Summons in a Civil Action, Complaint for Declaratory and Injunctive Relief and Notice and Election Regarding Consent to Proceed Before A United States Magistrate Judge*** ("Documents") in the above entitled case, hereby depose and say: I am over the age of eighteen (18), not a party to this lawsuit, and my business address is 2021 L Street, N.W., Suite 101-252, Washington, DC 20036

(XX) CERTIFIED/PRIORITY MAILING SERVICE: Service was delivered to Federal Deposit Insurance Commission c/o U.S. Attorney General by mailing the documents by Certified/Priority Mail, Tracking Number 9407 1118 9876 5409 8394 54.

Service was delivered to Federal Deposit Insurance Commission c/o Attorney General of the United States, Department of Justice, 950 Pennsylvania Avenue, Washington, DC 20530 on 02/13/2024 12:13 PM. See attached a copy of the USPS Tracking Website. (Exhibit A)

2-16-24

Date



69581

Laura Creekmore

P.O. Box 18647

Washington, DC 20036

202-296-0222

Electronic Delivery Confirmation™

USPS CERTIFIED MAIL™

Torris Legal Services
18403 WOODFIELD RD STE A
GAITHERSBURG MD 20879-4794

\$5.79 US POSTAGE
FIRST-CLASS
Feb 08 2024
Mailed from ZIP 20879
1 OZ FIRST-CLASS MAIL FLATS RATE
ZONE 1
11923275



stamps
endicia

062S0014949881

USPS CERTIFIED MAIL



9407 1118 9876 5409 8394 54

FEDERAL DEPOSIT INSURANCE CORPORATION
C/O ATTORNEY GENERAL OF THE UNITED STATES
950 PENNSYLVANIA AVE NW
WASHINGTON DC 20530-0009



Reference	69411
USPS #	9407111898765409839454
USPS Mail Class	Certified with Electronic Delivery Confirmation
USPS Status	Your item was delivered to an individual at the address at 12:13 pm on February 13, 2024 in WASHINGTON, DC 20429.
USPS History	<p>Arrived at Post Office, 02/13/2024, 8:09 am, WASHINGTON, DC 20018</p> <p>In Transit to Next Facility, 02/12/2024</p> <p>In Transit to Next Facility, 02/11/2024</p> <p>In Transit to Next Facility, 02/10/2024</p> <p>Arrived at USPS Regional Facility, February 9, 2024, 8:13 am, WASHINGTON DC DISTRIBUTION CENTER</p> <p>Arrived at USPS Regional Facility, February 8, 2024, 9:01 pm, GAITHERSBURG MD DISTRIBUTION CENTER</p> <p>Departed Post Office, February 8, 2024, 5:22 pm, GAITHERSBURG, MD 20878</p> <p>USPS in possession of item, February 8, 2024, 4:38 pm, GAITHERSBURG, MD 20878</p> <p>Shipping Label Created, USPS Awaiting Item, 02/08/2024, 2:06 pm, GAITHERSBURG, MD 20879</p>

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Date Verified: 02/14/2024 01:13:25 (UTC)

EXHIBIT A